

## UNITED STATES DISTRICT COURT

for the

Western District of Texas



UMG Recordings, Inc., et al.

Grande Communications Networks LLC

Case No.: 1:17-cv-00365-DAE

## BILL OF COSTS

Judgment having been entered in the above entitled action on 01/30/2023 against Defendant,  
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ 400.00
Fees for service of summons and subpoena .....	110.00
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....	107,179.45
Fees and disbursements for printing .....	0.00
Fees for witnesses (itemize on page two) .....	10,381.43
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case. ....	77,876.12
Docket fees under 28 U.S.C. 1923 .....	0.00
Costs as shown on Mandate of Court of Appeals .....	0.00
Compensation of court-appointed experts .....	0.00
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	0.00
Other costs (please itemize) .....	
TOTAL	\$ 195,947.00

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other:

s/ Attorney: Robert B. GilmoreName of Attorney: Robert B. GilmoreFor: UMG Recordings Inc., et al.  
Name of Claiming PartyDate: 02/13/2023

## Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By: \_\_\_\_\_

Clerk of Court

Deputy Clerk

Date

## UNITED STATES DISTRICT COURT

**Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)**

NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
See attached addendum for complete, itemized computation.		1,400.00		3,552.00		5,429.43	\$10,381.43
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					<b>TOTAL</b>		\$10,381.43

**NOTICE****Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

**See also Section 1920 of Title 28, which reads in part as follows:**

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

**The Federal Rules of Civil Procedure contain the following provisions:****RULE 54(d)(1)****Costs Other than Attorneys’ Fees.**

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney’s fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day’s notice. On motion served within the next 7 days, the court may review the clerk’s action.

**RULE 6****(d) Additional Time After Certain Kinds of Service.**

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

**RULE 58(e)****Cost or Fee Awards:**

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney’s fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

WITNESS FEES ADDENDUM							
Name	Attendance		Subsistence (\$64) + Per Diem Hotel Rate (\$158)		Mileage (airfare + transportation)		Total Cost of Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Robert Bardwell	2	\$80.00	1	\$222		\$570.26	\$872.26
David Benjamin	1	\$40.00					\$40.00
Greg Boswell	4	\$160.00	2	\$444			\$604.00
Neil Carfora	1	\$40.00					\$40.00
Matthew Flott	2	\$80.00	1	\$222		\$480.00	\$782.00
Barbara Fredericksen-Cross	7	\$280.00	5	\$1,110		\$1,018.41	\$2,408.41
Jason Gallien	1	\$40.00					\$40.00
Jonathan Glass	2	\$80.00					\$80.00
Dong Li Jang	1	\$40.00					\$40.00
Jeremy Landis	2	\$80.00	1	\$222		\$654.72	\$956.72
Wade Leak	2	\$80.00	1	\$222		\$645.96	\$947.96
William Lehr	3	\$120.00	2	\$444		\$418.60	\$982.60
Terrence McGarty	1	\$40.00					\$40.00
Alasdair McMullan	2	\$80.00	1	\$222		\$400.00	\$702
Tracie Demaine Parry	1	\$40.00	1	\$222		\$650.02	\$912.02
Christopher Sabec	1	\$40.00					\$40.00
Victoria Sheckler	1	\$40.00					\$40.00
Jeff Walker	1	\$40.00	1	\$222		\$591.46	\$853.46
<b>TOTAL OF ALL WITNESS COSTS:</b>							<b>\$10,381.43</b>



Michael A. Petrino (admitted *pro hac vice*)  
Kevin J. Attridge (admitted *pro hac vice*)  
**Stein Mitchell Beato & Missner LLP**  
901 15<sup>th</sup> Street, N.W., Suite 700  
Washington, DC 20005  
Telephone: (202) 737-7777  
Facsimile: (202) 296-8312  
rgilmore@steinmitchell.com  
pobeirne@steinmitchell.com  
mpetrino@steinmitchell.com  
kattridge@steinmitchell.com

Daniel C. Bitting (State Bar No. 02362480)  
Paige A. Amstutz (State Bar No. 00796136)  
**Scott Douglass & McConnico LLP**  
303 Colorado Street, Suite 2400  
Austin, TX 78701  
Telephone: (512) 495-6300  
Facsimile: (512) 495-6399  
dbitting@scottdoug.com  
pamstutz@scottdoug.com

*Attorneys for Plaintiffs*